Attachment to Independent Case Review Report For CDRU # 995 Case file # 95-HQ-296661.

Material Examiner:

Malone (RQ)

Remarks:

Case resulted in trial, transcript available.

INDEPENDENT CASE REVIEW REPORT Independent Review conducted by: Steve Robertson Hair and Fiber Area(s) of Expertise: Review commenced at: 4:15 PM (Time), (Date) 03/13/2001 95-296661 File #: 10111040 . Laboratory #(s): Examiner(s) & Symbols -Reviewed Not Reviewed Reviewed Not Reviewed Xο RQ 0 Materials Reviewed Trial testimony transcript(s) of: Michael Malone Testimony Date(s): 200-232 unknown Pages: Laboratory Report(s): March 8, 1991 Laboratory Number: Date: 10111040 Laboratory Number: Date: Laboratory Number: Date: Laboratory Number: 10111040 Page

Initials:

CRM - 13628

If yes, please ide	entify and/or describe the material:	Submitting agency lette	r (dated 8	-27-90)	
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				-	
	Results	of Review	٠,		
File #: 95-29	6661 Item or Spec	imen # Reviewed:	21-Q86, K	(1-K21	
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	Review of Laboratory R	Report(s) and Bench	Notes:		
	Note: Numbered comments additional pages for any "No" or "	-		ses	•
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Comments

(Set forth by above question #, if applicable. Use "Additional Comments" Sheet, if needed)

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File #: 95-296661	•		,		
#1: With microscopic h	air examination,	even with th	ne best notes, there is	no way to determ	ine the examination
was performed correctl	y		<u></u> .		
#2: The examination re	sults set forth in	the laborator	ry report are supporte	ed by the bench no	tes, but the
documentation is margi	nally adequate.	The notes are	e not dated or initiale	d and are in penci	<u>l.</u> -
	`		•		·
The bench notes indicate	te the Caucasian	head hair red	covered from Q50a (debris from suspe	ct Mathis' shirt) was
not compared to the vic	tim's hair standa	ard. The note	s also indicate the tw	o Caucasian head	hair recovered from
Q51 (debris from suspe	ct Mathis' shoes) did not mat	tch the victim's hair	standard. The labo	ratory report for items
Q50a and Q51 does not	agree with the b	ench notes.			
Review completed at:	8:30 AM	(Time),	03/14/2001	(Date)	
Total time spent conduc	ting revicw (to	nearest 1/4 ho	our): 1:15 ho	ours	
hereby certify that I control fully documented on				nanner and that the pages.	results of my review
		X	ten Kobins	ha	03/14/2001
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Initials: Suc

Additional Comments (Set forth by question #, if applicable)

File #:95-296661
#2 (continued):
The bench notes indicate item K2 as being head hair, but the report states item K2 is the pubic hair sample from
John Smith.
· · · · · · · · · · · · · · · · · · ·
The report states hair examinations on items Q56-Q60 were discontinued per the telephone call with b6
Investigator but no record of this telephone call could be found in the documentation provided to
this reviewer.
The examination and identification of the wood particles was not reviewed.
#3, #4, #5: The transcript deals exclusively with the identification of wood particles. This reviewer is not
qualified to review this testimony.
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Page 4 of 4
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Attachment to Independent Case Review Report For CDRU # 995 Case file # 95-296661.

Material Examiner <u>Malone (RO)</u>

Remarks:		
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IND	EPENDENT CA	ASE REVII	EW RE	PORT	· .
Independent Review conducted	d by:				b6 b7C
Area(s) of Expertise: Wood	Examinations	-			
Review commenced at: 10:1	10 am (Time),	5/22/03	· (Date	e)	
File #: 95-296661			_		
Laboratory #(s): 910111040	0 RQ				
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	Examiner	(s) & Symbol	s .		
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Michael Malone RQ x	,	•	•	Leviewed	Not Reviewed
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	•			.	_
	 Materia	als Reviewed		·	
Trial testimony transcript(s) of:					
Testimony Date(s):		Pages:			
Laboratory Report(s):	•				· .
Laboratory Number:	910111040 S RQ		Date:	3/11/1991	•
Laboratory Number:	910111040 S RQ		Date:	3/8/1991	
Laboratory Number:			Date:		
Examiner Bench Notes of:	Michael Malone	•	_		
Laboratory Number:	910111040 S RQ		<u>-</u>		
			. ,		
	Page 1	of 3	-	•	
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			•
	Results of F	Review	
File #: 95-2966	Item or Specimen	# Reviewed:	•
	Review of Laboratory Repor	rt(s) and Bench Notes:	· .
	Note: Numbered comments are a additional pages for any "No" or "Unal	-	ses
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	caminer perform the appropriate tests in a s protocols, and analytic techniques available	_	
,	□ Yes	□ No X□ Unable to D	
Are the exthe bench	amination results set forth in the laboratory notes? □ Yes	report(s) supported and ad x□ No □ Unable to De	→
· · · · · · · · · · · · · · · · · · ·	· Review of Tes	timony:	
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) Testimony cons	Note: Numbered comments are additional pages for any "No" or "Una vailable. Sistent with the laboratory report(s)? Sistent with the bench notes? In bounds of examiner's expertise? Page 2 of	required below or on ble to Determine" Responsi	☐ Unable to Determine☐ Unable to Determine

Comments
(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File#:	95-296661	. :
1) The n	otes do not indicate what methods were used to make the test impression of the	wood or what
characte	ristics were examined to determine that some of the pieces of wood are soft woo	d vs hard wood and hard
pines		
2) The n	otes only indicate that a test impression was made of the Q65 board, not that it w	vas compared to another
sample.		
4) There	are limited notes regarding an impression made of the Q65 board but no mentio	n that it was compared
to anoth	er impression. Notes do not indicate an identification of the wood species. See t	ranscript p 20 line 4.
5) Unab	e to determine due to the lack of notes whether the examiner testified within the	bounds of his expertise.
With reg	ard to the impression, the question remains if this examination was a scientifical	ly valid examination.
	-	. `
Review	completed at: 11:15pm (Time), 5 / 22 / 2003 (Date)	· .
Total tin	ne spent conducting review (to nearest 1/4 hour): 1 1/4 hours	
_	ertify that I conducted this review in an independent, unbiased manner and that to ocumented on this report consisting of a total of3 pages.	he results of my review b6 b7C
		5/22/03
	(Signature)/	(Date)

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Initials:

Additional Comments